

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

FREEDOM CHILD,	)	
	)	
Plaintiff,	)	Civil No. 05-1211-AS
	)	
v.	)	<u>ORDER</u>
	)	
CITY OF PORTLAND; ET AL.,	)	
	)	
Defendants.	)	

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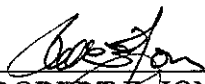
JONES, Judge:

Magistrate Judge Donald C. Ashmanskas filed Findings and Recommendation (#60) on February 7, 2008, in the above-entitled case. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Ashmanskas's Findings and Recommendation (#60) dated February 7, 2008, in its entirety. Defendants' motion (#36) for summary judgment is granted in part and denied in part as follows: Defendants' motion for summary judgment on the IIED claim is granted. Defendants' motion for summary judgment for illegal detention, unlawful arrest and malicious prosecution (federal and state) is denied. Defendants' request to disallow punitive damages is denied.

IT IS SO ORDERED.

DATED this 4<sup>th</sup> day of <sup>March</sup> ~~February~~, 2008.

  
 ROBERT E. JONES  
 United States District Judge